

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

MAY 17, 2004
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Andrew S. Layson
Commissioner Robert Roach
Mayor William I. May, Jr. (4)
ABSENT: Commissioner Tracey Turner Thurman (1)

Invocation given by Rev. Alan Sorem, South Frankfort Presbyterian Church.

Mayor May read proclamation proclaiming the month of May, 2004 as Neurofibromatosis Awareness Month and presented the proclamation to Ann Shirley Brooks who is the mother of City of Belle Isle, Florida Mayor Bill Brooks. Mayor Brooks' three year old daughter has been diagnosed with neurofibromatosis.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that the reading of the minutes of April 19, 2004 Regular Meeting, April 23, 2004 Special Meeting, May 3, 2004 Work Session and May 10, 2004 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May and Fire Chief Wallace Possich recognized Administrative Specialist Beverly Thornsberry, Fire Department, who received the 2004 Outstanding Professional of the Year Award on April 21, 2004. (Ms. Thornsberry was not in attendance.)

Mayor May announced the resignation of Tracey Turner Thurman as City Commissioner on May 15, 2004, effective immediately. City Manager read Commissioner Thurman's letter of resignation in its entirety.

"AN ORDINANCE AMENDING FRANKFORT-FRANKLIN COUNTY ZONING DISTRICT REGULATIONS, ARTICLE 13, SIGN REGULATIONS" was presented and read. This ordinance had its first reading April 19, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 7, 2004 Series)

"AN ORDINANCE REPEALING ORDINANCE NO. 12, 1994 SERIES, RELATING TO PERSONNEL POLICY NO. XIX, ON-THE-JOB INJURY AND ILLNESS BENEFITS, KRS 342" was presented and read. This ordinance had its first reading April 19, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 8, 2004 Series)

"AN ORDINANCE ESTABLISHING A HAZARDOUS MATERIALS RESPONSE TEAM FOR THE CITY OF FRANKFORT TO CREATE AND FORM THE HAZ-MAT 14 RESPONSE TEAM WITH FRANKLIN COUNTY FISCAL COURT AND THE COMMONWEALTH OF KENTUCKY" was presented and read.

"AN ORDINANCE PROVIDING FOR THE RECOVERY OF COSTS INCURRED FOR RESPONSE TO A HAZARDOUS MATERIALS INCIDENT" was presented and read.

"AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2004-2005" was presented and read. Mayor declared public hearing open for proposed ordinance appropriating the revenue for fiscal year 2004-2005. There being no comments, the public hearing was closed.

"AN ORDINANCE AMENDING ORDINANCE NO. 8, 2003 SERIES; ORDINANCE NO. 20, 2003 SERIES; AND FRANKFORT MUNICIPAL CODE SECTION 2.93.030 PAY PLAN (SALARY ORDINANCE)" was presented and read.

"AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF FRANKFORT, KENTUCKY; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; AND PROVIDING FOR THE MANNER OF AMENDING SUCH CODE" was presented and read.

"AN ORDINANCE REPEALING ORDINANCE NO. 21, 1979 SERIES, AND ORDINANCE NO. 31, 1980 SERIES, RELATING TO AUXILIARY POLICE FORCE" was presented and read.

"AN ORDINANCE REPEALING FRANKFORT MUNICIPAL CODE CHAPTER 6.04 FOOD REGULATIONS" was presented and read.

"AN ORDINANCE REPEALING FRANKFORT MUNICIPAL CODE CHAPTER 6.08 MILK REGULATIONS" was presented and read.

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to reject bids received for a sewer camera for the sewer lateral program, camera having been bid as a trailer mounted system; and authorization to readvertise for a sewer camera as a truck mounted system which will be more functional and less expensive (Sewer Department);
- 6.2 Leasing of 2004 tobacco base quota consisting of 12,017 pounds, with option to renew in 2005 and 2006, to John Mitchell, Midway, Kentucky, who submitted the high bid of \$.65 per pound for each year, total extended price of \$7,811.50 for each year (Finance Department);
- 6.3 Authorization to enter professional services contract for Emergency Medical Services (EMS) Director with Dr. Sandi Archibald, effective July 1, 2004, with contract to automatically renew for five successive years, funding from Fire Account 100.41.53265 (Fire Department);
- 6.4 Authorization to enter contract with Firetec Apparatus Sales to list and market for sale one 1981 Aerial Platform, 85', at a fee of 10% of the actual sale price, proceeds to be placed into reserve for contingency, 100.95.53295, to be used toward purchase of three additional fire vehicles (Fire Department);
- 6.5 Authorization to enter pool usage agreement with Frankfort Area Swim Team (F.A.S.T.) for use of Juniper Hill swimming pool for period beginning May 29, 2004 through August 8, 2004 (Parks & Recreation);
- 6.6 Change Order No. 1 with Free Contracting, Inc., for additional work associated with installation of parshall flume and liquid oxygen tank pad in installing ramp and relocating support for transducer, in amount of \$1,710.85, raising contract from \$174,000.00 to \$175,710.85, with funding from Sewer Account 300.68.56550 (Sewer Department);
- 6.7 Change Order with HMB Professional Engineers for testing and construction administration services associated with U.S. 60 widening project, for additional administration hours and costs for testing 15 manholes, in amount of \$5,323.50, with reimbursement from Kentucky Transportation Cabinet (Sewer Department);
- 6.8 Authorization for filing grant application with Kentucky League of Cities for 2004 Safety Grant Program funding to provide safety-related equipment for the Sewer Department, grant application funding request for \$2,500 to be matched by \$2,500 from Sewer Account 300.68.56550, and for Mayor to execute all grant-related documents (Sewer Department);
- 6.9 Authorization for filing grant application with Kentucky Division of Forestry for 2004 Kentucky Urban and Community Forestry Grant funds from Kentucky Division of Forestry to carry out a demonstration project that safely and aesthetically uses vegetation controls or utility innovations under or near utilities to avoid tree and utility conflicts, grant application funding request for \$13,400 with in-kind match of \$17,800, and for Mayor to execute all grant-related documents (Parks and Recreation);
- 6.10 Personnel
 - Confirmation of Scott Wilcoxson, Travis Curtsinger, Derrick Napier and Christopher Quire to position of Patrol Officer effective May 20, 2004, Police Department;
 - Reclassification of Greg Miley and Jeff Perry to position of Collection System Maintenance I from position of Collection System Laborer effective May 18, 2004, Sewer Department;

- Appointment of Justin Evilsizor to position of Staff Planner effective June 1, 2004, Planning & Building Codes;
- Appointment of Billy J. Beverly to position of Maintenance Worker effective May 25, 2004, Public Works Department;

It was moved by Commissioner Bowers, seconded by Commissioner Layson, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Upon recommendation of Mayor May, it was moved by Commissioner Roach, seconded by Commissioner Bowers, that Elaine Harrison be appointed to the Board of Civil Service for Police and Fire for a term to expire February 28, 2005, filling the unexpired term of Dawn Hale who resigned. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

Appointments to Streetscape Committee removed from agenda for review at June 7, 2004 Work Session.

It was moved by Commissioner Layson, seconded by Commissioner Bowers, that Sutphen Corporation be awarded contract for 100 ft. Aerial Platform in the amount of \$734,704, low bid; one Quick Attack Mini-Pumper (Hummer) in the amount of \$133,640, low bid; and one 1500 GPM Pumper in the amount of \$254,803, best bid, low bid did not fully meet the specifications in that both front end rear axle capacity ratings were less than specified, brake system warranties did not meet requirements as specified, exceptions were bid on various details and features, but were not indicated as required as exceptions; total contract award in amount of \$1,123,197; with funding from accounts 100.42.56550, \$500,000, FY 03-04; 100.42.56550, \$500,000, FY 04-05; 100.41.56550, \$23,197, FY 03-04; 100.95.53295, \$100,000, FY 03-04; with proceeds from sale of 1981 Aerial Platform Truck to be placed back into reserve for contingency, 100.95.53295, when sold. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted. (Fire Department)

Commissioner Comments:

Commissioners Bowers, Layson, Roach and Mayor May recognized Commissioner Thurman for her service on the Board of Commissioners and wished her well.

There being no objection, the meeting recessed to closed session upon motion by Commissioner Bowers, seconded by Commissioner Roach, in accordance with KRS 61.810 (1), (c), (f), to discuss litigation and personnel.

Regular meeting resumed at 6:09 p.m. with all members present.

It was moved by Commissioner Layson, seconded by Commissioner Roach, that Chuck Fletcher be appointed as City Commissioner to fill the unexpired term of Tracey Turner Thurman. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Mayor May (4). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that Commissioner Bowers be appointed Mayor Pro Tem. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Roach and Mayor May (3). Voting against the motion was Commissioner Layson (1). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the meeting be adjourned. Motion adopted by voice vote.

MAYOR

ATTEST:

CITY CLERK